

### **REMARKS**

Claims 1-6, 8 and 10-20 are pending in the present application. Claims 1-4, 6, 8 and 10-14 have been amended. Claims 15-20 have been presented herewith. Claims 7 and 9 have been canceled.

### **Priority Under 35 U.S.C. 119(e)**

Enclosed is a copy of a Submission of English-Language Translation of Foreign-Language Provisional Application filed along with the present application on September 24, 2003. Also enclosed is a copy of a dated, stamped postcard receipt, provided as evidence that the Submission of English-Language Translation of Foreign-Language Provisional Application was received by the U.S. Patent Office, along with a copy of Provisional Application No. 60/413,759. **The Examiner is respectfully requested to acknowledge receipt of the Provisional Application and the corresponding English-language translation, and to confirm that the Claim for Priority Under 35 U.S.C. 119(e) is complete.**

### **Drawings**

Enclosed are two (2) red-inked drawing Annotated Sheets, wherein "COMMAND" has been spelled correctly in Fig. 1 and "CORRESPONDING" has been spelled correctly in Fig. 4. Also enclosed are two (2) drawing Replacement Sheets, incorporating the above noted corrections. **The Examiner is respectfully requested**

**to acknowledge receipt and acceptance of the drawing Replacement Sheets.**

**Claim Rejections-35 U.S.C. 112**

Claim 11 has been rejected under 35 U.S.C. 112, as containing a trademark/trade name USB. Responsive to this rejection, claim 11 has been amended to feature that the communication interface IC includes a universal serial bus interface. Applicants respectfully submits that claim 11 is in compliance with 35 U.S.C. 112, second paragraph, and thus respectfully urges the Examiner to withdraw this rejection.

**Claim Rejections-35 U.S.C. 102**

Claims 1, 2, 4, 5, 7-9 and 13 have been rejected under 35 U.S.C. 102(b) as being anticipated by the Osawa et al. reference (U.S. Patent No. 5,946,247). This rejection, insofar as it may pertain to the presently pending claims, is traversed for the following reasons.

The test method of a memory IC function of claim 1 includes in combination “generating a random number indicative of a period of time”; “executing a test of a predetermined memory IC for the period of time in accordance with the generated random number”; “judging whether tests of all the memory ICs are finished or not”; “repeating said generating a random number and said executing a test if tests of all the memory ICs are not finished”; and “ending processing if tests of all the memory ICs are finished”. Applicants respectfully submit that the Osawa et al. reference as relied upon

by the Examiner does not disclose these features.

The Examiner has asserted that column 40, line 48 through to column 41, line 39 of the Osawa et al. reference discloses generating a random number, and executing of a test in reply to the generated random number. The Examiner has also relied on column 2, lines 25-53 of the Osawa et al. reference with respect to disclosing a random number.

However, as described beginning in column 2, line 32 of the Osawa et al. reference with respect to Figs. 57 and 58, the LFSR (linear feedback shift register) circuit of the prior art generates pseudo-random numbers as an algorithmic pattern for a functional test, wherein the pseudo-random numbers are used as addresses to a plurality of RAMs. As further described in column 2, lines 43-47 of the Osawa et al. reference, the LFSR circuit is an address generation circuit.

As also described beginning in column 40, line 48 of the Osawa et al. reference with respect to Fig. 25, the semiconductor memory testing device according to the corresponding embodiment is a 5-bit address generation circuit which generates pseudo-random series within 5-bits, for making a functional test on a plurality of semiconductor memories.

Applicants respectfully submit that the pseudo-random numbers generated in the Osawa et al. reference represent addresses. The pseudo-random numbers of the Osawa et al. reference are not indicative of a period of time, whereby a test of a predetermined memory IC is executed for the period of time in accordance with the

generated random number. The Osawa et al. reference therefore does not execute a test of a predetermined memory IC "for a period of time in accordance with the generated random number", as featured in claim 1. Applicants therefore respectfully submit that the test method of claim 1 distinguishes over the Osawa et al. reference as relied upon by the Examiner, and that this rejection, insofar as it may pertain to claims 1, 2, 4 and 5, is improper for at least these reasons.

Claims 6 and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the Osawa et al. reference, in view of the Knorr Text (the PC Bible). Applicants respectfully submit that the Knorr reference as relied upon by the Examiner does not overcome the above noted deficiencies of the Osawa et al. reference. Applicants therefore respectfully submit that claim 6 would not have been obvious in view of the prior art as relied upon by the Examiner taken singularly or together, for at least these reasons.

#### **Allowable Subject Matter**

Applicants respectfully note the Examiner's acknowledgment that claims 3, 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

In view of the Examiner's acknowledgment of allowable subject matter, claims 10 and 12 have been respectively amended to be in independent form. The Examiner is therefore respectfully requested to acknowledge that claims 10 and 12, and claims 8,

11, 13 and 14 as dependent upon claim 10, are allowable.

### **Claims 15-20**

Applicants respectfully submit that claims 15-20, as respectively dependent upon claims 10 and 12, should also be allowable at least in view of the Examiner's acknowledgment of allowable subject matter.

### **Conclusion**

As noted above, claims 10 and 12 have been amended merely to be in independent form, rather than to further distinguish over any of the relied upon prior art. This should be especially clear in view of the Examiner's acknowledgement of allowable subject matter. Accordingly, the amendments to claims 10 and 12 to be in independent form, and the amendment of the claims which correspondingly depend therefrom, should not be construed as narrowing scope within the meaning of *Festo*.

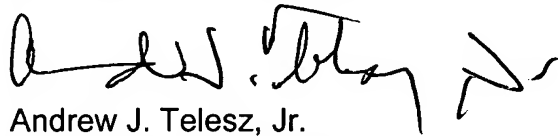
The Examiner is respectfully requested to reconsider and withdraw the corresponding rejections, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.



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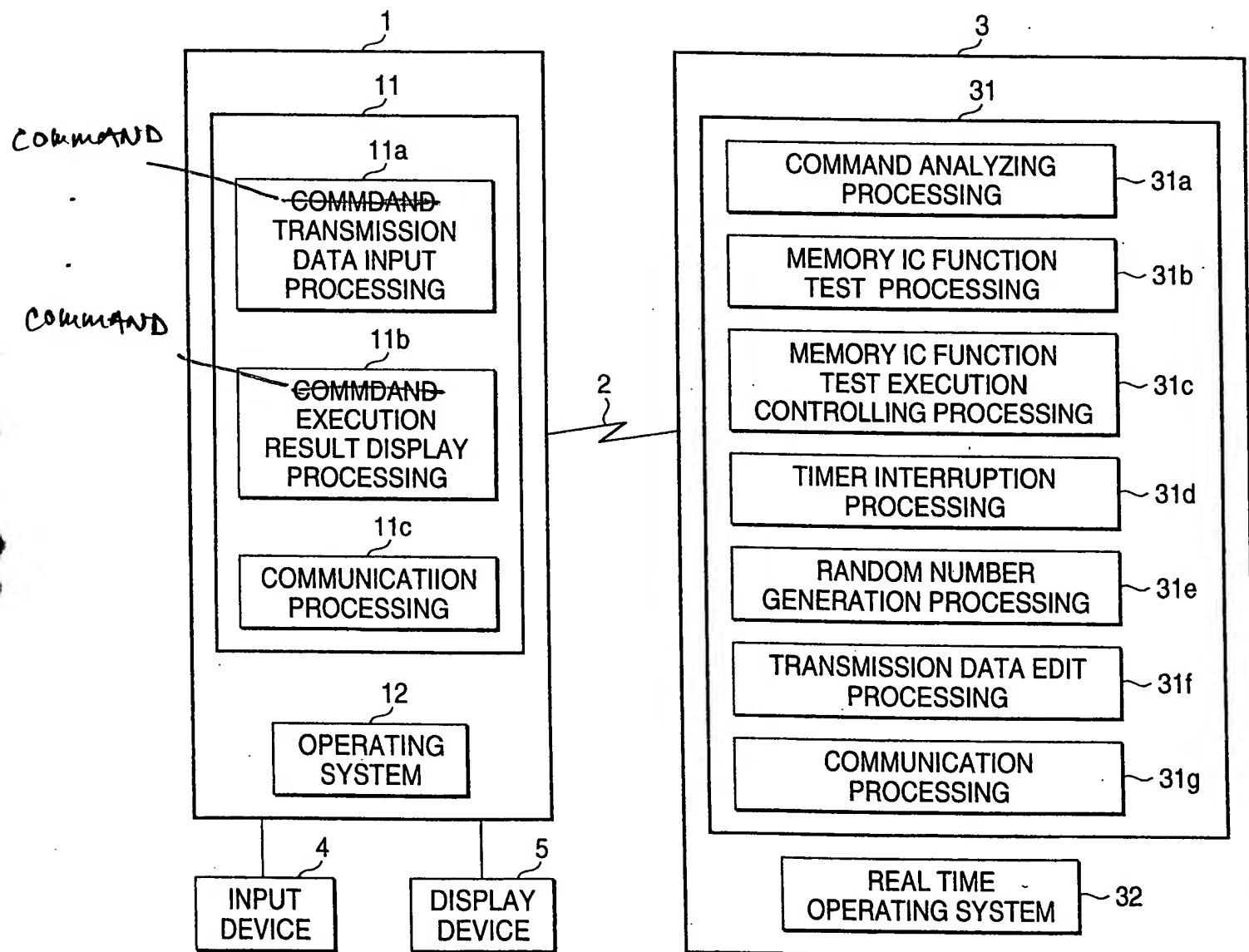
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- Enclosures:
- Copy of Submission of English-language Translation of Foreign-Language Provisional Application
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FIG. 1



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FIG. 4

